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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

APR - 9 1990

In re:

Request of A.C. Nielsen Co.
for Permissive Use of Line 22
of the Active Portion of the
Television Video Signal

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DA 89-1060

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Federal Communications Commission
Office of the Secretary

To: Chief, Mass Media Bureau

OPPOSITION TO REQUEST FOR PERMISSIVE AUTHORITY

Southwest Missouri Cable TV, Inc. ("Southwest"), by its attorneys, herewith opposes the request of A.C. Nielsen Company ("Nielsen") that the Commission grant licensees general authority to transmit, on a permanent basis, Nielsen's Automated Measurement of Lineup ("AMOL") Signal Identification ("SID") codes on Line 22 of the active video signal broadcast or transmitted by those licensees. In support of this opposition, the following is respectfully submitted:

1. Southwest is the owner and operator of small cable TV systems in Missouri. None of them has over 3,500 subscribers. With the introduction of network nonduplication and syndicated exclusivity requirements (Part 76), tracking the appropriateness of the request and implementing such exclusivity along with same length program substitutions can be a difficult task at best. Southwest hopes to see developed an operational switching service keyed on Line 22, and is actively engaged in pursuing this concept. It is critical that such uses of this single Line not be foreclosed by one particular technological approach, such as Nielsen's.

2. Indeed, a grant of permanent authority to Nielsen at this time would be premature and would serve to preclude or could well preclude other valid existing or potential uses of Line 22. As noted above, Southwest has been in contact with Real-Time Designs concerning the design of a system which would use Line 22 to identify programming entitled to protection under the Commission's syndicated exclusivity and network nonduplication Rules (Part 76). A system of this nature would be valuable to both cable TV systems and broadcast TV licensees by making the process of identifying and deleting programming entitled to protection simpler, less costly, and much more efficient, helping assure full and complete, error-free rule compliance.

3. Southwest is also aware the Airtrax has requested the Commission to institute a rulemaking proceeding designed to establish standards which will allow all users to co-exist on Line 22. Southwest supports this request and urges the Commission to adopt a Notice of Proposed Rulemaking along these lines.

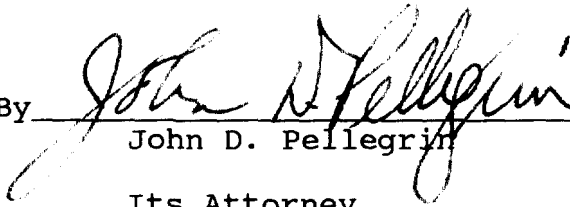
ACCORDINGLY, Southwest requests the Commission to deny Nielsen's request that licensees be given permanent authority to transmit Nielsen's AMOL codes on Line 22 of active video, and further asks for institution of a rulemaking proceeding looking

towards the maximization of use of this valuable, and limited,
resource.

Respectfully submitted,

Southwest Missouri Cable TV, Inc.

By


John D. Pellegrin

Its Attorney

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April 9, 1990

CERTIFICATE OF SERVICE

I, Denise Cohen, a secretary in the law firm of Pellegrin & Levine, Chartered, certify that I have this 9th day of April, 1990, sent by U.S. Mail, a copy of the foregoing "OPPOSITION TO REQUEST FOR PERMISSIVE AUTHORITY" to:

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Denise Cohen

April 9, 1990

*Hand Delivered